



Egypt

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According to its Constitution, Egypt is a social democracy in which Islam is the state religion. The National Democratic Party (NDP), which has governed since its establishment in 1978, has used its entrenched position to dominate national politics and maintains an overriding majority in the popularly elected People's Assembly and the partially elected Shura (Consultative) Council. President Hosni Mubarak was reelected unopposed to a fourth 6-year term in a national referendum in September 1999. The Cabinet and the country's 26 governors are appointed by the President and may be dismissed by him at his discretion. The judiciary generally is independent; however, there is no appellate process for verdicts issued by the State Security Emergency courts.

There are several security services in the Ministry of Interior, two of which are involved primarily in the Government's campaign against terrorism: The State Security Investigations Sector (SSIS), which conducts investigations and interrogates detainees, and the Central Security Force (CSF), which enforces curfews and bans on public demonstrations and conducts paramilitary operations against terrorists. The President is the commander in chief of the military; the military is a primary stabilizing factor within society but generally does not involve itself in internal issues. The security forces committed numerous, serious human rights abuses during the year; however, there continued to be no reports of the use of deadly force in the campaign against suspected terrorists during the year.

The country has a population of approximately 67 million, which increases by approximately 2 percent annually. It is in transition from a government-controlled economy to a free market system. The Government continued its privatization program, although some key sectors of the economy (such as banking, oil and gas, insurance, and textiles) still are dominated by state-owned enterprises. The agricultural sector employs the largest number of persons, and is almost entirely privately controlled. Official statistics place 34.4 percent of wage earners in the agricultural sector, and knowledgeable observers estimate that perhaps 3 to 5 percent of those engage in subsistence farming. The tourism sector generates the largest amount of foreign currency. Petroleum exports, Suez Canal revenues, and remittances from approximately 2 million citizens working abroad are the other principal sources of foreign currency. These income sources are vulnerable to external shocks. Over the past decade, the Government has enacted significant economic reforms, which have reduced the budget deficit, stabilized the exchange rate, reduced inflation and interest rates significantly, and built up substantial reserves. However, low international oil prices, the 1997 Luxor terrorist attack, and the effects of the Southeast Asia economic crisis all negatively affected foreign exchange earnings from 1997 through 1999, causing the trade and current account balance deficits to widen and putting pressure on the Egyptian pound, leading to a devaluation of approximately 32 percent between mid-2000 and the end of 2001. Economic growth slowed in 2000 and during the year, and the global economic slowdown and losses in the tourism sector late in the year further affected the economy negatively. Continued progress in economic development depends primarily upon implementation of a wide range of structural reforms, the pace of which has slowed significantly over the past 1 to 2 years. The per capita gross domestic product (GDP) is approximately \$1,400.

The Government generally respected the human rights of its citizens in some areas, and its record improved somewhat over the previous year in areas such as extrajudicial killings, deaths from torture, and disciplinary actions taken against officers involved in deaths from torture; however, the Government's record remained poor with respect to freedom of expression and its continued referral of citizens to trial in military or State Security Emergency courts, among other areas. The President and the entrenched NDP dominate the political scene to such an extent that citizens do not have a meaningful ability to change their Government. In parliamentary elections held between October 18 and November 15, 2000, the NDP won 172 seats, independent candidates won 255 seats, and opposition parties won 17 seats. However, many of the

independents elected were former members of the NDP who rejoined the party after being elected, leaving the People's Assembly balance at 388 NDP members, 37 independents, and 17 opposition party members out of 444 elected members. Due to court-ordered supervision by the judiciary of the voting and vote-counting, the process was fairer and more transparent than past parliamentary elections; however, there were significant problems, including the arrests of thousands of members of the Muslim Brotherhood in the months before the elections. In Shura Council elections that were held in May and June, the NDP won 74 of 88 seats, and independent candidates formerly affiliated with the NDP won the remaining 14 seats. Due to court-ordered supervision by the judiciary of the voting and vote-counting, the process was reasonably fair; however, there were significant problems, including the arrests of more than 100 members of the Muslim Brotherhood in the weeks before the elections. Voter turnout was extremely low.

The Emergency Law, which has been in effect since 1981 and was renewed for another 3 years in June 2000, continues to restrict many basic rights. The security forces continued to arrest and detain suspected members of terrorist groups. In combating terrorism, the security forces continued to mistreat and torture prisoners, arbitrarily arrest and detain persons, hold detainees in prolonged pretrial detention, and occasionally engage in mass arrests. In actions unrelated to the antiterrorist campaign, local police killed, tortured, and otherwise abused both criminal suspects and other persons. The Government took disciplinary action against police officers accused of abusing detainees, including prosecution of several offenders, but it did not pursue most cases or seek adequate punishments. The investigation that the Public Prosecutor reopened and expanded in 1999 regarding police brutality and torture during a 1998 police investigation of a double murder in the largely Coptic village of al-Kush in Sohag governorate, continued without resolution throughout the year.

Prison conditions remain poor. The Emergency Law allows authorities to detain persons without charge, and the Government continued to arrest and detain persons arbitrarily. Thousands of persons are detained without charge on suspicion of illegal terrorist or political activity; others are serving sentences after being convicted on similar charges. On November 14, a State Security Emergency Court sentenced 23 allegedly homosexual men to prison terms ranging from 1 to 5 years on charges including "insulting a heavenly religion" and "debauchery." The use of military courts to try civilians continued to infringe on a defendant's normal right under the Constitution to a fair trial before an independent judiciary. During the year, the Government referred three cases involving more than 270 civilians to the military courts.

The Government used the Emergency Law to infringe on citizens' privacy rights. Although citizens generally express themselves freely, the Government partially restricts freedom of the press and significantly restricts freedom of assembly and association. The May 21 conviction of civil society advocate Dr. Saad Eddin Ibrahim on charges including seeking to harm the reputation of the State and accepting foreign funding without government permission, had broad implications for freedom of expression, and had a deterrent effect on the activities of human rights organizations. The Government generally permits human rights groups to operate openly; however, only a few have been permitted to register as nongovernmental organizations (NGO's). The Government places restrictions on freedom of religion.

Domestic violence against women is a problem. Although the Government has banned the practice of female genital mutilation (FGM), many families persist in subjecting their daughters to the traditional practice. Women and Christians face discrimination based on tradition and some aspects of the law. Adult literacy rates are 63 percent for males and 34 percent for females. On February 5, a court acquitted 92 of 96 defendants of crimes, including murder, allegedly committed during January 2000 violence in the village of al-Kush, in which 21 Christians and 1 Muslim were killed. The Public Prosecutor contested the acquittals and the Court of Cassation overturned the verdicts in July; a retrial began in November and was ongoing at year's end. However, there were no reports of terrorist attacks against Christians during the year. Child labor remains widespread, despite Government efforts to eradicate it. Exposure of workers to hazardous working conditions and other abuses of the law by employers continue, and the Government does not enforce the labor laws effectively. The Government limits workers' rights.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary and Unlawful Deprivation of Life

There were no reports of political killings or of extrajudicial killings of suspected terrorists by security forces during the year; however, police committed other extrajudicial killings.

The Egyptian Organization for Human Rights (EOHR) investigated the case of one extrajudicial killing by police. Mosaad Ahmed el-Sayed Abou Seif, age 19, who reportedly was surprised by police officers in his home in Shubra al-Khaima (north of Cairo) on March 27, was shot and killed on sight.

Human rights organizations and the press reported on the death in custody of the following 4 persons during the year, all of whom allegedly were tortured while being detained by police under suspicion of criminal activity: Mohamed Samir Aboul Wafa, Tarek Mahdy Abul Dahab, Tarek Massoud al-Ashkar, and Hisham Ahmad Abdel Ghani (see Section 1.c.). In addition, several cases of death under police torture from previous years remain unresolved.

The trial of 96 suspects accused in involvement in violence in al-Kush village in January 2000, resulting in the deaths of 21 Christians and 1 Muslim, concluded on February 5, with the acquittal of 92 of 96 suspects. The Public Prosecutor appealed the verdicts and on July 30 the Court of Cassation ordered a retrial. The retrial opened November 3 and the next session was scheduled for January 2002 (see Section 5).

b. Disappearance

There were no reports of new cases of politically motivated disappearances that occurred during the year; however, local human rights organizations reported 4 new cases of disappearance that took place between 1995 and 2000, all of which followed arrests by security services or police. The Human Rights Center for the Assistance of Prisoners (HRCAP) reported that Mohammed Abdel Salam Mohammed Ali disappeared on January 13, 1995, in the upper Egyptian town of Malawi, Minya province. Atef Soliman Abdel Nasser Soliman reportedly disappeared on September 1, 1996, in the town of Abu Qurqa, Minya province. Mahmoud Ismail Amin, age 15, disappeared on June 30, 2000 in the town of al-Qanatir, Qalyubia province (north of Cairo). The authorities told Amin's family that he had been transferred to prison, but they have been unable to locate him since. The EOHR reported that Mohammed Abdel Hamid Metwalli Abdel Hamid disappeared on March 27, 2000, after being transferred from the regular police to the Qalyubia province Security Directorate. Abdel Hamid was arrested on March 8, 2000, on suspicion of arms dealing.

In addition, the HRCAP and the EOHR continued to investigate cases of 42 additional disappearances that took place before 2000. The EOHR provided the names to the U.N. Committee on Disappearances; the Government reportedly has denied any involvement in the cases.

On April 29, a lower court began the retrial of a 1999 case in which another court had ordered the Minister of Interior to pay Bahaa al-Amary, the wife of former Libyan Foreign Minister Mansur Kikhiya, \$27,000 (100,000 Egyptian pounds). Kikhiya's family sued the Government following reports that he had been kidnaped from Cairo by Libyan agents, taken to Libya, and executed there in 1994. In 1999 the court had awarded the sum as compensation for the Ministry of Interior's inability to protect a foreign dignitary on Egyptian soil. The Minister of Interior appealed the decision on November 24, and the court overturned the 1999 judgment, ruling that no compensation should be provided.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits the infliction of "physical or moral harm" upon persons who have been arrested or detained; however, torture and abuse of detainees by police, security personnel, and prison guards is common.

Under the Penal Code, torture of a defendant or giving orders to torture are felonies punishable by hard labor or 3 to 10 years' imprisonment. If the defendant dies under torture, the crime is one of intentional murder punishable by a life sentence at hard labor. Arrest without due cause, threatening death, or using physical torture is punishable by temporary hard labor. Abuse of power to inflict cruelty against persons is punishable by imprisonment of no more than 1 year or a fine of no more than \$29 (125 Egyptian pounds). In addition victims may bring a criminal or civil action for compensation against the responsible government agency. There is no statute of limitation in such cases.

Despite these legal safeguards, there were numerous, credible reports that security forces tortured and mistreated citizens. Reports of torture and mistreatment at police stations remain frequent. While the Government has investigated torture complaints in criminal cases and punished some offending officers, the punishments at times do not conform to the seriousness of the offense.

While the law requires security authorities to keep written records of detained citizens, human rights groups report that such records often are not available, or not found, or that the police deny any knowledge of the detainee when inquiries are made about specific cases, effectively blocking the investigation of torture complaints.

Human rights groups believe that the SSIS continues to employ torture. Torture takes place in SSIS offices, including its headquarters in Cairo, and at CSF camps. Torture victims usually are taken to an SSIS office,

where they are handcuffed, blindfolded, and questioned about their associations, religious beliefs, and political views. Torture is used to extract information, coerce the victims to end their antigovernment activities, and deter others from similar activities.

In March the EOHR issued a report documenting in detail 21 cases of torture in police stations between September 1999 and March, in which 10 victims died. Principal methods of torture employed by the police, as reported by victims, included: Being stripped and blindfolded; suspended from a ceiling or doorframe with feet just touching the floor; beaten with fists, whips, metal rods, or other objects; subjected to electrical shocks; and doused with cold water. Victims frequently report being subjected to threats and forced to sign blank papers to be used against the victim or the victim's family in the future should the victim complain of abuse. Some victims, including male and female detainees, reported that they were sexually assaulted or threatened with the rape of themselves or family members.

Also in March, the HRCAP issued a report analyzing over 1,100 court rulings on cases in which torture victims sued for compensation between 1981 and 1999 and claiming that there were insufficient protections against torture provided under the law. In an unusual step, in September the Ministry of Interior issued a detailed written response to the HRCAP report rebutting the claims.

Human rights organizations and the press reported on the death in custody of four persons, reportedly under police torture, during the year (see Section 1.a.). All were being held on suspicion of criminal activity. The EOHR is investigating the case of Mohamed Samir Aboul Wafa, age 22, who died on January 13 in Hadayek al-Qubba police station. Aboul Wafa, who was arrested in October 2000 on suspicion of possession of illegal drugs, had been transferred to the police station from Wadi Natroun prison in preparation for his court-ordered release. The family complained to the authorities of signs of physical abuse and electrical shock on the body, and the local prosecutor carried out an investigation. No disciplinary or judicial action had been taken by year's end.

The press reported on three deaths in custody, which reportedly were due to police torture or mistreatment: Tarek Mahdy Abul Dahab, age 28, who died in January in the al-Wayli police station after completing a prison sentence on a robbery conviction; Tarek Massoud al-Ashkar, who died on July 15, approximately 10 days after his admission to a Sadat City police station; and Hisham Ahmad Abdel Ghani, age 21, who died in Shabrakheit police station in Beheira governorate in December, reportedly several hours after being summoned for questioning. The death of al-Ashkar was under police investigation at year's end.

In May police arrested 55 men and one juvenile on suspicion of homosexual activity and "insulting a heavenly religion." During the trial of 52 of the men, attorneys claimed that the defendants were abused physically during the initial days of their detention, and that several had confessed under torture (see Section 1.e.)

In June police detained three Christian men for 3 days for allegedly inducing a young Muslim woman to run away from home. The men claimed that they were physically abused while they were in custody (see Sections 1.d. and 2.c.).

Regarding judicial action on previous cases of deaths under torture, on July 21, the Cairo Court of Appeals increased the compensation awarded in the September 1988 death of Basel Hammouda from approximately \$11,800 (50,000 Egyptian pounds) to \$59,000 (250,000 Egyptian pounds). On July 26, the Court of Cassation sentenced a police officer to 3 years in prison and a fine of \$470 (2,000 Egyptian pounds) in connection with the June 1996 death of Ragab Mohammed in the Manshiet Nasser police station. Also on July 26, the Giza Criminal Court sentenced a police officer to 2 years in prison with hard labor in the June 2000 death of Ahmed Imam Abdel Na'im in the Agouza police station. In September the Deputy Chief of Wadi Natroun prison was sentenced to 10 years' hard labor, a prison officer to 7 years' hard labor, and 4 police officers to 5 years' hard labor plus dismissal from their jobs for involvement in the February 2000 death under torture of Ahmed Mohamed Eissa. The officers appealed the verdicts, but the Court of Cassation had not examined the case by year's end. No judicial action was taken in the cases of Sami Hosni Ahmed, Ahmed Hassan Ahmed, Mohamed Tawfik Hassan Sayyed, Sayyed Kenawi Selim, Abdel Hamid Ramadan, Abdel Hamid Zahran, Haytham Mohamed Abdel Aziz, and Mohamed Islam Nasr Eddine, all of whom died while in police detention in 2000, and whom family members believe were tortured. The Nasr Eddine case continued to be under police investigation at year's end.

At year's end, the public prosecution continued to interview residents of the village of al-Kush regarding a 1998 murder investigation, during which, according to local observers, dozens of suspects reportedly were tortured and mistreated. The public prosecution reopened and expanded the case in August 1999, 5 months after it had decided that medical evidence did not support allegations of police torture (see Sections 2.c and 5.).

Prison conditions remain poor. The Government has renovated and built several prisons in recent years, and

attempted to improve health conditions by, for example, banning smoking; however, human rights groups report that overcrowding and unhealthy conditions continue. Cells are poorly ventilated, food is inadequate in quantity and nutritional value, drinking water often is polluted, and medical services are insufficient. Such conditions contribute to the spread of disease and epidemics. The use of torture and mistreatment in prisons continues to be common. A system of inspections begun in 1999 by the Office of the Public Prosecutor continued, and the office investigated complaints raised by prisoners; however, no information was available regarding the results of the inspections.

On December 3, the People's Assembly approved an amendment to Law 396 of 1956, banning flogging as a disciplinary measure in prisons. Local human rights groups welcomed the ban.

There are separate prison facilities for men and women, and for juveniles and adults. There are separate military prisons, and civilians are not detained there even when they are tried in military courts. Political prisoners generally are detained separately from criminal prisoners, but in some cases are detained together with those convicted of nonviolent crimes, such as corruption or embezzlement.

Relatives and lawyers often are unable to obtain access to prisons for visits. Prisons in Abu Zaabal and Tora remain closed to visits. During the year, the HRCAP obtained 32 rulings by the Higher Administrative court to open the two prisons for visits to individual prisoners; however, despite more than 100 court rulings in favor of opening the prisons in recent years, visits to closed prisons continue to be refused in most cases. At other prisons, restrictions have been placed on visits to prisoners who are incarcerated for political or terrorist crimes, limiting the number of visits allowed for each prisoner and the total number of visitors allowed in the prison at one time.

Failure to implement judicial rulings regarding the release of administrative detainees or opening of prisons to visits continued to be a problem. In May the HRCAP released a report documenting 129 such rulings obtained by HRCAP between July 2000 and April 2001 that went unimplemented. The report also documented 1,426 court rulings won by family members of detainees and 1,110 cases of compensation awarded for wrongful detention, all of which the Government failed to carry out, during the period from 1971 to 2000.

In 2000 the Ministry of Interior ordered that prisoners who have served their sentences be released directly rather than transferred to State Security Directorates for processing, which in the past resulted in delayed releases for some prisoners. Human rights organizations reported that during the year, implementation of the policy in criminal cases was inconsistent, and that the direct-release policy was not implemented in general in cases involving political prisoners.

In principle human rights monitors are permitted to visit prisoners in their capacity as legal counsel; however, in practice they often face considerable bureaucratic obstacles that prevent them from meeting with prisoners. The International Committee of the Red Cross (ICRC) does not have access to prisons.

d. Arbitrary Arrest, Detention, or Exile

As part of the Government's antiterrorist campaign, security forces conducted mass arrests and detained hundreds of individuals without charge. Police also at times arbitrarily arrested and detained persons. Under the provisions of the Emergency Law, which has been in effect since 1981, the police may obtain an arrest warrant from the Ministry of Interior upon showing that an individual poses a danger to security and public order. This procedure nullifies the constitutional requirement of showing that an individual likely has committed a specific crime to obtain a warrant from a judge or prosecutor.

The Emergency Law allows authorities to detain an individual without charge. After 30 days, a detainee has the right to demand a court hearing to challenge the legality of the detention order and may resubmit his motion for a hearing at 1-month intervals thereafter. There is no maximum limit to the length of detention if the judge continues to uphold the legality of the detention order or if the detainee fails to exercise his right to a hearing.

In addition to the Emergency Law, the Penal Code also gives the State broad detention powers. Under the Penal Code, prosecutors must bring charges within 48 hours or release the suspect. However, they may detain a suspect for a maximum of 6 months pending investigation. Arrests under the Penal Code occur openly and with warrants issued by a district prosecutor or judge. There is a system of bail. The Penal Code contains several provisions to combat extremist violence. These provisions broadly define terrorism to include the acts of "spreading panic" and "obstructing the work of authorities."

During the year, security forces arrested a number of persons allegedly associated with the Muslim

Brotherhood, which the Government has declared an illegal organization. Attorneys for those arrested, as well as the HRCAP, reported 243 arrests during the year, compared with a much larger number (estimates ranged from 694 to 5,000) in 2000, largely in connection with the 2000 parliamentary elections. By year's end, 125 of the 243 persons arrested had been released. In addition, in July the Government released leading Muslim Brotherhood member Ibrahim al-Za'afarani, who had been arrested in October 2000. The 118 persons remaining in prison were held on suspicion of holding clandestine organization meetings, possessing antigovernment leaflets, and "instigating the masses" against the Government. The President referred 22 to trial in a military court; the trial began December 24 and was ongoing at year's end. Observers believe that some of the 243 persons were detained as part of a Government effort to undermine Muslim Brotherhood participation in the elections to the upper house of Parliament, the Shura Council, in May and June (see Sections 1.e., 2.b., and 3), while others were arrested in connection with demonstrations in October and November on university campuses protesting U.S. policy.

Between January and April, the Government arrested 18 persons, most of whom were Baha'is, in the southern city of Sohag, on suspicion of insulting a heavenly religion and violating a law abolishing Baha'i institutions. Their detentions were renewed several times, but no charges were filed; by mid-October, all of the detainees had been released (see Section 2.c.). In May the authorities briefly detained five Seventh-Day Adventists on suspicion of distributing pamphlets allegedly insulting to the Catholic Church (see Sections 2.a. and 2.c.). In June security forces detained and questioned three Christian men for 3 days on suspicion of inducing a young Muslim woman to run away from home (see Sections 1.c. and 2.c.).

On September 20, civil society activist Farid Zahran was arrested on suspicion of organizing illegal demonstrations, following a large demonstration criticizing U.S. policy in the Middle East that was held on September 10. Zahran was released on bail October 3; he had not been formally charged by year's end (see Section 2.b.).

There were no confirmed reports during the year that converts to Christianity were subjected to harassment by the security services. Several converts previously prevented from traveling were able to travel abroad (see Section 2.c.).

Human rights groups reported that hundreds, perhaps thousands, of persons detained under the Emergency Law have been incarcerated for several years without charge. The courts have ordered the release of several of these detainees, but prison officials reportedly have ignored the orders. The Ministry of Interior frequently reissues detention orders to return detainees to prison. Estimates by local human rights organizations indicate that there are 13,000-16,000 persons detained administratively on suspicion of terrorist or political activity, in addition to several thousand others convicted and serving sentences on similar charges (see Section 1.e.).

The Government does not use forced exile.

e. Denial of Fair Public Trial

The judiciary is generally independent; however, cases involving national security, terrorism, or religion may be referred to military or State Security Emergency courts, in which normal constitutional protections may not be observed. In addition, judicial orders in some cases are ignored by the authorities. The Constitution provides for the independence and immunity of judges and forbids interference by other authorities in the exercise of their judicial functions, and this provision generally is observed in practice. The President appoints all judges upon recommendation of the Higher Judicial Council, a constitutional body composed of senior judges. Judges are appointed for life, with mandatory retirement at age 64. Judges may be dismissed only by the Higher Judicial Council for cause, such as corruption. The Higher Judicial Council is a set body headed by the President of the Court of Cassation. Other members include the President of the Cairo Court of Appeal, the Public Prosecutor, and the two most senior presidents of courts of appeal outside Cairo. The Council regulates judicial promotions and transfers. The Government includes lectures on human rights and other social issues in its training courses for prosecutors and judges.

In the civilian court system, there are criminal courts, civil courts, administrative courts, and a Supreme Constitutional Court. There are three levels of regular criminal courts: Primary courts, appeals courts, and the Court of Cassation, which represents the final stage of criminal appeal. The judicial system is based on the Napoleonic tradition; hence, there are no juries. Misdemeanors that are punishable by imprisonment are heard at the first level by one judge and at the second level by three judges. Felonies that are punishable by imprisonment or execution are heard in criminal court by three judges. Criminal courts also have a State Security division to hear cases that the Government considers to affect state security; in these courts, the defendant may appeal on procedural grounds only. Civil courts hear civil cases and administrative courts hear cases contesting government actions or procedures; both systems have upper-level courts to hear appeals. The Supreme Constitutional Court hears challenges to the constitutionality of laws or verdicts in any of the

courts.

A lawyer is appointed at the court's expense if the defendant does not have one. Appointed lawyers are drawn from a roster that is chosen by the Bar Association; however, expenses are incurred by the State. Any denial of this right is grounds for appeal of the ruling. However, detainees in certain high security prisons alleged that they were denied access to counsel or that such access was delayed until trial, thus denying counsel the time to prepare an adequate defense. A woman's testimony is equal to that of a man's in court. There is no legal prohibition against a woman serving as a judge, but in practice no women serve as judges (see Section 5).

Defense lawyers generally agree that the regular judiciary respects the rights of the accused and exercises its independence. In the past, criminal court judges have dismissed cases in which confessions were obtained by coercion; however, there were no such dismissals during the year. While the judiciary generally is credited with conducting fair trials, under the Emergency Law, cases involving terrorism and national security may be tried in military or State Security Emergency courts, in which the accused do not receive all the normal constitutional protections of the civilian judicial system.

In 1992 following a rise in extremist violence, the Government began trying cases of persons accused of terrorism and membership in terrorist groups before military tribunals. In 1993 the Supreme Constitutional Court ruled that the President may invoke the Emergency Law to refer any crime to a military court. This use of military and State Security Emergency courts under the Emergency Law since 1993 has deprived hundreds of civilian defendants of their normal right under the Constitution to be tried by a civilian judge. The Government defends the use of military courts as necessary to try terrorism cases, maintaining that trials in the civilian courts are protracted and that civilian judges and their families are vulnerable to terrorist threats.

While military judges are lawyers, they are also military officers appointed by the Minister of Defense. Verdicts are subject to a review by other military judges and confirmation by the President, who in practice usually delegates the review function to a senior military officer. Defense attorneys have claimed that they have not been given sufficient time to prepare defenses and that judges tend to rush cases involving a large number of defendants. Nonetheless, judges have guidelines for sentencing, defendants have the right to counsel, and statements of the charges against defendants are made public.

During the year, the Government referred three large groups of civilians to the military courts. On October 13, President Mubarak issued a decree referring 94 civilians (77 of whom had been arrested and 17 of whom remained at large) to trial in a military court on charges related to planned terrorism and membership in an illegal Islamist organization called al-Wa'd--"The Promise"; their trial began on November 18 and was ongoing at year's end. On October 15, President Mubarak issued a decree referring a separate group of 170 civilians, who were accused of terrorist activities and membership in the Islamic Gama'at organization, to trial in a military court. Their trial had not begun by year's end. On November 11, President Mubarak issued a decree referring 22 civilians accused of membership in the Muslim Brotherhood and inciting student demonstrations to trial in a military court; their trial began on December 24, and was ongoing at year's end.

The State Security Emergency courts share jurisdiction with military courts over crimes affecting national security. The President appoints judges to these courts from the civilian judiciary upon the recommendation of the Minister of Justice and, if he chooses to appoint military judges, the Minister of Defense. Sentences are subject to confirmation by the President but may not be appealed. The President may alter or annul a decision of a State Security Emergency court, including a decision to release a defendant.

During the year, State Security Emergency courts issued verdicts in three cases. On June 13, a State Security Emergency court acquitted Sherif al-Filali of charges of spying for Israel but tried and convicted a Russian intelligence officer in absentia on the same charges and sentenced him to life imprisonment. The State Security Prosecution contested al-Filali's acquittal, and a new trial began October 28. The trial was ongoing at year's end. On September 19, a State Security Emergency Court found Mamdouh Mahran, editor in chief of two tabloid publications, guilty of propagating false information with the aim of inciting sectarian strife and insulting a heavenly religion, for an article he published regarding alleged sexual misconduct in a Coptic Christian monastery. Mahran was sentenced to 3 years' imprisonment and a fine of \$46 (200 Egyptian pounds) (see Sections 2.a., 2.b., and 5).

On November 14, a State Security Emergency court sentenced 23 allegedly homosexual men to prison terms ranging from 1 to 5 years and acquitted 29 others. A total of 52 defendants were tried in the case, 2 on charges including insulting a heavenly religion and for "unorthodox religious beliefs and practices," and the remaining 50 for "debauchery." Defense attorneys requested the transfer of the case to a regular criminal court, but the judge accepted the State Security Prosecutor's argument that the religion charge levied against 2 of the defendants affected the security of the State and therefore justified the trial of all defendants in a State Security Emergency court. The 52 defendants were part of a group of 55 men (3 of whom were released

without charge) arrested in May. Some were arrested aboard a boat on the Nile River that allegedly served as a gay disco. Nine of the 23 convictions were obtained through confessions, which the defendants and their attorneys maintained were extracted under torture. In addition to the 52 defendants, a 16-year-old boy arrested with the group was tried separately in juvenile criminal (non-Emergency) court, and on September 18 was sentenced to 3 years in prison on a debauchery charge. On December 19, an appeals court reduced the boy's sentence to 6 months in prison plus 6 months' probation.

In addition, in late October a group of 8 persons from the town of Mataria were referred to trial in a State Security Emergency Court on charges related to unorthodox religious beliefs and practices. Their trial had not begun by year's end (see Section 2.c.).

On May 21, the State Security division of the South Cairo criminal court (in which the defendant may appeal on procedural grounds only) found Saad Eddin Ibrahim, Director of the Ibn Khaldoun Center for Development Studies, guilty on charges of seeking to harm the reputation of the State, accepting foreign funding without Government approval, and defrauding a donor, and sentenced him to 7 years imprisonment (see Sections 2.a. and 4). He also had been charged with violating a 1992 military decree prohibiting the acceptance of foreign donations without government permission; his organization had a \$246,226 (261,000 Euros) contract with the European Union. In July the Court of Cassation, ruling in an unrelated case, found the military decree unconstitutional. Ibrahim was acquitted of conspiring to bribe public officials in order to obtain media coverage of Ibn Khaldoun Center activities. Twenty-seven employees of the Center also were convicted of aiding and abetting Ibrahim in the alleged activities; 2 employees (one of whom is abroad) were sentenced to 5 years in prison, 4 employees to 2 years in prison, and 21 employees to 1-year suspended sentences.

Ibrahim and the other incarcerated defendants submitted an appeal on procedural grounds to the Court of Cassation in July. On December 19, the Court of Cassation held an appeal hearing but postponed a decision until January 16, 2002. Observers remain concerned about several aspects of the original trial, especially regarding questions of due process: First, Ibrahim and many of the other defendants were not served formally with their indictments or court papers prior to the trial; second, Ibrahim's request for discovery of the documents that were confiscated from the Ibn Khaldoun Center, which his lawyers claimed were necessary to prepare his defense, was never granted by the judicial authorities; and third, under the law pertaining to (non-Emergency) State Security courts, Ibrahim may appeal only on procedural grounds but may not appeal the verdict itself (see Section 1.e.). In addition, the three-judge panel rendered its verdict in the trial only 90 minutes after closing arguments ended.

During the year, the Government continued to try and convict journalists and authors for slander, as well as for expressing their views on political and religious issues (see Sections 2.a. and 2.c.).

According to local human rights organizations, there are approximately 13,000-16,000 persons detained without charge on suspicion of illegal terrorist or political activity (see Section 1.d.), in addition to several thousand others convicted and serving sentences on similar charges.

The Government does not permit access by international humanitarian organizations to political prisoners (see Section 1.c.).

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution provides for the sanctity and secrecy of the home, correspondence, telephone calls, and other means of communication; however, the Emergency Law abridges the constitutional provisions regarding the right to privacy, and the Government used the Emergency Law to infringe on these rights. Police must obtain warrants before undertaking searches and wiretaps. Courts have dismissed cases in which warrants were issued without sufficient cause. Police officers who conduct searches without proper warrants are subject to criminal penalties, although penalties seldom are imposed. However, the Emergency Law empowers the Government to place wiretaps, intercept mail, and search persons or places without warrants. Security agencies frequently place political activists, suspected subversives, journalists, foreigners, and writers under surveillance, screen their correspondence (especially international mail), search them and their homes, and confiscate personal property.

The Ministry of Interior has the authority to stop specific issues of foreign-published newspapers from entering the country on the grounds of protecting public order; it exercises this authority sporadically (see Section 2.a.).

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press; however, the Government partially restricts these rights. Citizens openly speak their views on a wide range of political and social issues, including vigorous criticism of government officials and policies, but generally avoid certain topics, such as direct criticism of the President.

Dr. Saad Eddin Ibrahim, director of the Ibn Khaldoun Center for Development Studies, was convicted on May 21 in a State Security Court and sentenced to 7 years in prison in a trial that most observers believe has broad implications for freedom of expression. Local observers believe that Ibrahim was prosecuted because of public remarks that he made regarding high-ranking officials that exceeded unwritten limits regarding freedom of expression. Ibrahim was convicted of violating the Penal Code by seeking to harm the reputation of the State by disseminating abroad false information about Egypt, misappropriating funds obtained from the European Union, falsifying documents in order to obtain funds, and violating a military decree banning the acceptance of funding from foreign sources without government approval. Twenty-seven employees of the Center were convicted of aiding and abetting Ibrahim in the activities (see Sections 1.e. and 4).

The Constitution restricts ownership of newspapers to public or private legal entities, corporate bodies, and political parties. There are numerous restrictions on legal entities that seek to establish their own newspapers, including a limit of 10 percent ownership by any individual. On May 13, the Supreme Constitutional Court ruled against a 1998 law that requires newspapers managed by joint stock companies to obtain the approval of the Prime Minister prior to publishing. Because of government restrictions, a joint stock company is the only feasible incorporation option for publishers.

The Government owns stock in the three largest daily newspapers, and the President appoints their editors in chief. Although these newspapers generally follow the government line, they sometimes criticize government policies. The Government also holds a monopoly on the printing and distribution of newspapers, including those of the opposition parties. The Government used its monopolistic control of newsprint to limit the output of opposition publications.

Opposition political parties publish their own newspapers but receive a subsidy from the Government and, in some cases, subsidies from foreign interests as well. Most newspapers are weeklies, with the exception of the dailies al-Wafd and al-Ahrar, both of which have small circulations. Opposition newspapers frequently publish criticism of the Government. They also give greater prominence to human rights abuses than do state-run newspapers. All party newspapers are required by law to reflect the platform of their parties.

The Government did not permit the establishment of any new publications during the year. Four publications lost the right to publish. Following a scandal and demonstrations related to the publication of a story and photographs involving alleged sexual misbehavior by a defrocked Coptic Orthodox monk, the Government in June suspended licenses of the publications al-Naba' and Akher Khabar. A case brought by the Press Committee of the Shura Council requesting permanent cancellation of the licenses still was pending at year's end. On September 19, a State Security Emergency Court found Mamdouh Mahran, editor in chief of the two publications, guilty of propagating false information with the aim of inciting sectarian strife and insulting a heavenly religion. Mahran was sentenced to 3 years' imprisonment and a fine of \$46 (200 Egyptian pounds). The ruling was confirmed by the Military Governor, who rejected Mahran's plea for clemency. On August 19, the Shura Council's Political Parties Committee withdrew recognition from the small National Detente Party, which was licensed in March 2000, and closed the party newspaper, al-Qarar. The Committee justified its decision by citing an internal leadership dispute and alliance with the banned Muslim Brotherhood. In late October, the Committee withdrew recognition from the Arab Egyptian Socialist party for the same reason and suspended the party's weekly newspaper, Gariidat Misr, which had been published sporadically. During the year, the semiweekly newspaper al-Shaab obtained an administrative court ruling calling for a reversal of the Government's May 2000 suspension of the paper's license, but the Shura Council's Press Committee appealed. The Higher Administrative Court had not heard the appeal by year's end (see Section 3).

Because of the difficulties in obtaining a license, several publishers of newspapers and magazines targeted with an Egyptian audience have obtained foreign licenses. Most such publications are printed in a free trade zone. Newspapers and magazines published under a foreign license may be distributed with government permission. However, the Department of Censorship in the Ministry of Information has the authority to censor or halt distribution of publications printed in the free trade zone under a foreign license. The Center for Human Rights and Legal Assistance in 1999 organized a legal challenge to the constitutionality of the Information Ministry's censorship of offshore publications. The Supreme Constitutional Court began hearing the case in December 2000 and held another hearing in January, but had not issued a decision by year's end. On July 11, the Government of Cyprus, where many of Egypt's offshore publications were licensed, issued new regulations effectively invalidating all such licenses. The Egyptian authorities granted a brief period to allow the dozens of publications that had been licensed in Cyprus to obtain licenses in other countries. The more widely read publications all obtained other licenses and resumed publishing.

There were no cases of censorship of foreign-licensed publications during the year.

The Penal Code, Press Law, and Publications Law govern press issues. The Penal Code stipulates fines or imprisonment for criticism of the President, members of the Government, and foreign heads of state. The Supreme Constitutional Court agreed in 1998 to review the constitutionality of those articles of the Penal Code that specify imprisonment as a penalty for journalists convicted of libel, but had not begun hearing the case by year's end. The Press and Publication Laws ostensibly provide protection against malicious and unsubstantiated reporting. Financial penalties for violations were increased substantially in 1996 when relevant provisions of the Penal Code were revised, but the judicial process remains long and costly, creating a bar to realistic legal recourse for those wrongly defamed. In recent years, opposition party newspapers have within limits published articles critical of the President and foreign heads of state without being charged or harassed. The Government continues to charge journalists with libel.

In 1997 the Supreme Constitutional Court declared unconstitutional Article 195 of the Penal Code under which an editor in chief could have been considered criminally responsible for libel contained in any portion of the newspaper. The Court ruled that the correct standard of responsibility should be "negligence." The courts subsequently have applied this lesser standard.

During the year, the courts tried several prominent cases of slander that were filed both by the Government and private individuals. On February 20, a lawsuit brought against al-Arabi newspaper by the family of late President Anwar Sadat was settled out of court. On July 8, in a case brought by the Government, a State Security Emergency Court sentenced Yasir al-Mallawi, editor of the Cyprus-based International Middle East newspaper, to 1 year in prison for slander leading to sectarian strife and threatening public order. On August 12, a misdemeanors court sentenced journalist Mohammed Abdellah of al-Ahram newspaper to a 3-month suspended sentence and fines totaling \$2,470 (10,500 Egyptian pounds) for allegedly slandering Press Syndicate leader Ibrahim Nafei during syndicate elections, in a case that originally had been brought by Nafei. A slander case filed by businessman Ahmad Bahgat against Adel Hammouda, editor of Sawt al-Umma newspaper, began in May and was ongoing at year's end. On November 26, a misdemeanors court convicted Wahid Ghazi and Hossam Wahballah of al-Muwagah newspaper, who were accused by the Government of publishing pornographic photos, and sentenced them to 2 years in prison. Ghazi and Wahballah were granted a stay of implementation of the sentence while they pursued an appeal; the appeal had not been heard by year's end.

In August the Public Prosecutor referred to trial Hani el-Nakshabandi, editor of the London-based magazine Sayedati, for slander against an Egyptian actress; the trial had not begun by year's end.

Appeals courts also reduced the sentences of several journalists during the year. On April 29, the Misdemeanors Court of Appeals reduced a 6-month prison sentence previously given to Mohammed Abu Liwaya to a 1-month suspended sentence with a fine of \$1,764 (7,500 Egyptian pounds). On May 9, the Abdeen Court of Appeals cancelled a 6-month prison sentence given to 5 journalists from al-Ahrar newspaper in April 2000 (the sentence was suspended during the appeals process) for slandering the head of Egypt Air; the journalists instead were fined \$1,764 (7,500 Egyptian pounds) each. Cartoonist Essam Hanafi of al-Shaab, who was sentenced to 1 year in prison in April 2000 for slandering a government minister and who was released later in 2000, subsequently was questioned by the authorities regarding an alleged insult to the courts based on another cartoon, but he was not charged.

Based on authority granted to him by law, the Public Prosecutor may issue a temporary ban on the publication of news pertaining to cases involving national security in order to protect the confidentiality of the cases. The length of the ban is based on the length of time required for the prosecution to prepare its case. On June 12, the Public Prosecutor banned publication of news concerning an investigation of financial irregularities at the Cairo Stock Exchange. A judge also may order a ban on news about a case currently under trial, and on August 24, the Cairo Criminal Court imposed a ban on news related to the trial of Sayyid Ragab al-Sawarki, who was accused of forging documents in order to engage in multiple marriages.

The law provides penalties for individuals who disclose information about the State during emergencies, including war and natural disasters. The penalties include fines of up to \$1,400 (6,000 Egyptian pounds) and prison sentences of up to 3 years. There were no reports in which the law was applied in practice during the year.

The law prohibits current or former members of the police from publishing work-related information without prior permission from the Interior Minister. Former police officer and Ministry of Interior official Mohammed al-Ghannam had been prevented from leaving the country since he was forced to resign from his Government post in 1999 after publishing several articles in opposition newspapers on police corruption and human rights violations. Al-Ghannam was allowed to leave the country in May, and he was granted political asylum in

Switzerland.

Various ministries legally are authorized to ban or confiscate books and other works of art upon obtaining a court order. The Islamic Research Center at al-Azhar University has legal authority to censor, but not to confiscate, all publications dealing with the Koran and Islamic scriptural texts. In recent years, the Center has passed judgment on the suitability of nonreligious books and artistic productions. In 1995 an administrative court ruled that the sole authority to prohibit publication or distribution of books and other works of art is vested in the Ministry of Culture. This decision invalidated a 1994 advisory opinion by a judiciary council that had expanded al-Azhar's censorship authority to include visual and audio artistic works. The same year, President Mubarak stated that the Government would not allow the confiscation of books from the market without a court order, a position supported by the then-Mufti of the Republic, who is now the Grand Imam of al-Azhar.

The Ministry of Information's Censorship Department took no action during the year following objections expressed by the Islamic Research Center to several publications. The Islamic Research Center expressed its objections in April to the script of a play entitled "Ali the Martyr" (about the death of the grandson of the Prophet Mohammed), which had been submitted by the play's producer. On May 6, the Islamic Research Center called for the banning from circulation of two books, "The Woes of Toads," by Alaa Hamed and "A Call to Think About the Quran and the Hadith," by Ibrahim Abu Khalil. On May 21, the Center called for the banning of the publication of "The Formative Years of the Prophet Mohammed," by Khalil Abdel Karim. On June 16, the Center requested confiscation of an English-language book entitled "Women and Sexuality in Islam," by Laila Ahmad; the book was out of print and was not confiscated.

On June 18, the Court of Appeals rejected an Islamist lawyer's suit against the Sheikh of al-Azhar and several other senior Islamic figures in their effort to block publication of the book "My Father Adam: The Story of the Creation Between Legend and Reality," by Abdel Sabour Shahine. The Islamic Research Center had ruled in favor of distribution of the book in 1999.

There were no court-ordered confiscations of books during the year; however, the Ministry of Information's Censorship Department confiscated issues of several books intended for the Cairo International Book Fair in February. Confiscated works included poetry by Lebanese poet Joseph Harb, two novels and an autobiography by Egyptian feminist Nawal al-Sa'adawi, "Crazy Stories," by Egyptian author Yehia Ibrahim, three works ("The Tent," "The Naked Bread," and "al-Shutar") by Moroccan author Mohammed Shukri, "The Merciful and the Devil," by Syrian author Firas al-Sawah, "Politics between the Permitted and the Forbidden," by Saudi Arabian author Turki Hamad, two works ("Fear of Modernism" and "Are you Shielded from the Harem?") by Moroccan feminist Fatma al-Mernissi, and "A Banquet for Seaweed," by Syrian author Haidar Haidar. Haidar's book had been the subject of student demonstrations in May 2000.

On January 6, the Prime Minister dismissed several Ministry of Culture officials following protests by Islamist members of the People's Assembly regarding three allegedly pornographic books ("Sons of Romantic Sins," by Yasser Sha'aban, "Forbidden Dreams," by Mahmoud Hamed, and "Before and After," by Tawfik Abdel Rahman) published by the Ministry. The Ministry banned further distribution of the books and formed a committee to review all books issued. Five literary figures working for the Ministry resigned in protest.

During the year, criminal and other lawsuits were brought or continued against several authors for expressing their views on religious or political issues. On January 28, the Giza State Security court sentenced author Salaheddine Mohsen to 3 years in prison with hard labor for insulting a heavenly religion in his book "The Shivering Light." Mohsen originally was given a 6-month suspended sentence in July 2000, but the Public Prosecutor appealed on the grounds that the sentence was too lenient. On May 21, sociologist Saad Eddin Ibrahim was sentenced to 7 years in prison on charges that included harming the reputation of the State through his writings (see Sections 1.e. and 4). On July 30, the Cairo Personal Status Court rejected a lawsuit against feminist author Nawal al-Sa'adawi, in which lawyer Nabih al-Wahsh sought to force the divorce of al-Sa'adawi from her husband on the grounds of apostasy due to views expressed by al-Sa'adawi regarding Muslim customs and beliefs (see Section 2.c.). By year's end, the Court of Cassation had not acted on an appeal by author Ala'a Hamed, who was convicted in 1998 for the alleged pornographic content of his book "The Bed."

The Ministry of Interior regularly confiscates leaflets and other works by Muslim fundamentalists and other critics of the State. During the year, 243 suspected members of the illegal Muslim Brotherhood were arrested (see Sections 1.d. and 3). In many cases, the press reported that police confiscated written materials such as leaflets during the arrests.

In May five Seventh-Day Adventists were detained briefly on suspicion of distributing pamphlets insulting to the Roman Catholic Church (see Section 2.c.).

The Ministry of Interior also has the authority, which it exercises sporadically, to prevent specific issues of foreign-published newspapers from entering the country on the grounds of protecting public order (also see Section 1.f.). The Ministry of Defense may ban works about sensitive security issues. The Council of Ministers may order the banning of works that it deems offensive to public morals, detrimental to religion, or likely to cause a breach of the peace.

The Government controls and censors the broadcast media considerably. The Ministry of Information owns and operates all domestic television and radio stations. However, during the year, the Government licensed the first private television station, al-Mihwar, which was scheduled to begin broadcasting in 2002, although the Government retained a 22 percent share in the new station. In addition to public television, the Government also offers several pay-for-view television channels. The Government does not block reception of foreign channels via satellite. The percentage of citizens who receive satellite television broadcasts is small, but many coffee shops and other public places offer satellite television.

Plays and films must pass Ministry of Culture censorship tests as scripts and as final productions. However, many plays and films that are highly critical of the Government and its policies are not censored. The Ministry of Culture also censors foreign films that are to be shown in theaters, but it is more lenient when the same films are released in video cassette format. Government censors ensure that foreign films made in the country portray Egypt in a favorable light. Censors review scripts before filming, are present during filming, and have the right to review a film before it is sent out of the country. During the year, the Ministry of Information's Censorship Department requested changes in several film scripts that involved current or former high-ranking government officials or sensitive issues such as the Arab-Israeli conflict. In April an appeals court rejected the case against the film "Birds of Darkness," which the plaintiffs charged was insulting to lawyers. Two related cases against the movie were dropped in 1997.

The Government estimates that approximately one million citizens are Internet subscribers. The Government does not restrict Internet use and does not monitor citizens' Internet use on a broad scale, although there may be some monitoring by law enforcement officials.

The Government does not restrict directly academic freedom at universities. However, some university professors claim that the Government tightened its control over universities in 1994 through a law authorizing university presidents to appoint the deans of the various faculties. Under the previous law, faculty deans were elected by their peers. The Government has justified the measure as a means to combat Islamist influence on campus. The Government also occasionally bans books for use on campuses, although no such cases occurred during the year.

b. Freedom of Peaceful Assembly and Association

The Government significantly restricts freedom of assembly. Citizens must obtain approval from the Ministry of Interior before holding public meetings, rallies, and protest marches. Many demonstrations are approved; however, the Government tightly controls public demonstrations that do occur to prevent them from spreading into the streets or other areas. The Interior Ministry selectively obstructs meetings scheduled to be held on private property and university campuses (also see Section 4). On September 20, civil society activist Farid Zahran was arrested on suspicion of organizing illegal demonstrations following a large demonstration held on September 10 criticizing U.S. policy in the Middle East. Zahran was released on bail on October 3; he had not been charged formally by year's end (see Section 1.d.).

On June 20, a demonstration in Cairo by Coptic Christians protesting a number of issues turned violent, and several demonstrators and police officers were hospitalized with minor injuries. Police detained 22 demonstrators on suspicion of illegal public assembly and damaging public property. By year's end, all had been released on bail awaiting trial. No trial date had been scheduled by year's end (see Sections 2.a. and 5).

The Government significantly restricts freedom of association. During the year no action was taken to replace Law 153, a law regulating the formation, function, and funding of NGO's and private foundations that was overturned by the Supreme Constitutional Court June 2000. While many NGO's were registered under Law 153, its overturn and the reinstatement of Law 32, which had governed NGO's previously, left a number of NGO's that had not yet registered under either Law 153 or Law 32 in an unsettled status regarding registration. (Those that succeeded in registering under Law 153 still were considered registered after the law was overturned.) No human rights organizations were registered as NGO's during the year. Several other human rights organizations that applied for registration, including the Egyptian Organization for Human Rights, the Human Rights Center for the Assistance of Prisoners, and the Cairo Institute for Human Rights Studies, were not registered by year's end. In June the EOHR won a court decision compelling the Ministry of Insurance and Social Affairs to register EOHR as an NGO, but the Ministry had not implemented the decision by year's end (see Section 4). In September 2000, the security services barred Mamdouh Nakhla, a Coptic Orthodox lawyer

and human rights activist, from membership on the board of the Youssef El-Rami Charity Society, for "security reasons." On May 27, Nakhla won a lawsuit against the Ministers of Interior and Social Affairs and was reinstated in the organization.

Under legislation governing professional syndicates, at least 50 percent of the general membership of an association must elect the governing board. Failing a quorum, a second election must be held in which at least 30 percent of the membership votes for the board. If such a quorum is unattainable, the judiciary may appoint a caretaker board until new elections can be scheduled. The law was adopted to prevent well-organized minorities, specifically Islamists, from capturing or retaining the leadership of professional syndicates. Members of the syndicates have reported that Islamists have used irregular electoral techniques, such as physically blocking polling places and limiting or changing the location of polling sites.

On February 24, the Lawyers' Syndicate held elections for a new board and president, which had been scheduled for July 2000 but were canceled by government order. In October 1999, the Court of Cassation had upheld an earlier court decision to lift the Government's sequestration of the Syndicate and to allow elections. In judicially supervised elections widely regarded as free and fair, the Syndicate elected Nasserist Sameh Ashour as president, as well as a board that included 10 independents, 8 Muslim Brothers, 4 pro-Government members, 1 Nasserist, and 1 Wafdist.

c. Freedom of Religion

The Constitution provides for freedom of belief and the practice of religious rites; however, the Government places restrictions on this right. Most Egyptians are Sunni Muslims. There is a small number of Shi'a Muslims. Approximately 8 to 10 percent of the population are Christians, the majority of whom belong to the Coptic Orthodox Church. There are other small Christian denominations, a small Baha'i community, and a Jewish community that numbers approximately 200 persons.

Under the Constitution, Islam is the official state religion and primary source of legislation. Accordingly, religious practices that conflict with Shari'a (Islamic law) are prohibited. However, in Egypt the practice of Christianity or Judaism does not conflict with Shari'a and, for the most part, members of the non-Muslim minority worship without harassment and maintain links with coreligionists abroad.

All mosques must be licensed, and the Government is engaged in an effort to control them legally. The Government appoints and pays the salaries of the imams who lead prayers in mosques, proposes themes for them, and monitors their sermons. In December the Minister of Awqaf announced that the Government controls 57,000 mosques and 13,000 mosques located in private buildings. (There are more than 80,000 mosques in the country.) In an effort to combat extremists, the Government has announced its intention to bring all unauthorized mosques under its control.

Neither the Constitution nor the Civil and Penal Codes prohibit proselytizing or conversion. However, during the past 2 decades, several dozen Christians who were accused of proselytizing or who had converted from Islam have been harassed by police or arrested on charges of violating Article 98(F) of the Penal Code, which prohibits citizens from ridiculing or insulting heavenly religions or inciting sectarian strife. In May five Seventh-Day Adventists were detained briefly in Cairo on suspicion of distributing pamphlets insulting to the Roman Catholic Church. They were not mistreated and were released without charge after they pledged not to distribute such material in the future (see Sections 1.d. and 2.a.). In June three young Christian men were detained and questioned by security authorities in Tanta for 3 days on suspicion of inducing a young Muslim woman to run away from home. The three claimed that they were physically abused during their detention, but later were released without charge (see Sections 1.c. and 1.d.).

There are no restrictions on the conversion of non-Muslims to Islam. However, in cases involving conversion from Islam to Christianity, authorities have charged several converts with violating laws prohibiting the falsification of documents. In such instances, converts, who fear government harassment if they officially register the change from Islam to Christianity, have altered their identification cards and other official documents themselves to reflect their new religious affiliation. There were no reports of such arrests or harassment during the year.

In 1997 human rights activist Mamdouh Naklah filed suit seeking removal of the religious affiliation category from government identification cards. Naklah challenged the constitutionality of a 1994 decree by the Minister of Interior governing the issuance of new identification cards. The court repeatedly has delayed setting a trial date, and it appears unlikely that the case will be heard.

An 1856 Ottoman decree still in force requires non-Muslims to obtain what is now a presidential decree to build

a place of worship. In addition, Interior Ministry regulations issued in 1934 specify a set of 10 conditions that the Government must consider prior to issuance of a presidential decree permitting construction of a church. These conditions include the location of the proposed site, the religious composition of the surrounding community, and the proximity of other churches. The Ottoman decree also requires the President to approve permits for the repair of church facilities.

In response to strong criticism of the Ottoman decree, President Mubarak took several steps to facilitate church repairs. In December 1999, President Mubarak issued a decree making the repair of all places of worship subject to a 1976 civil construction code. The decree is significant symbolically because it makes churches and mosques equal under the law. The practical impact of the decree has been to facilitate significantly church repairs; however, Christians report that local permits still are subject to approval by security authorities.

During the year, the Government issued 38 permits for church-related construction, including 4 permits for the construction of new churches, 20 permits for churches previously constructed without authorization, and 3 permits for the demolition and reconstruction of existing churches. In addition, the Government reported that local authorities issued more than 350 permits for church-related repair during 2000, the last year for which information regarding repairs was available. During the year, the Government also donated three parcels of land for construction of new churches (2 Coptic Orthodox and one Protestant), which represented a significant change in government practice regarding church construction.

Nonetheless, the approval process for church construction is time-consuming and insufficiently responsive to the wishes of the Christian community. Although President Mubarak reportedly has approved all requests for permits presented to him, Christians maintain that the Interior Ministry delays--in some instances indefinitely--submission to the President of their requests. They also maintain that local security authorities have blocked them from utilizing permits that have been issued, and that local security officials at times blocked or delayed permits for repairs to church buildings. For example, a permit issued in 1993 to repair structural damage to a 110-year-old church in a village next to Luxor remains unenforced due to "security reasons," as does a 1999 decree for repair of a church in Assiyut province. The incidence of blocked or delayed orders varies, often depending on the church's relationship with local security officials and the level of support of the local governor. In May 2000, newspapers published a letter from the secretary general of Assiyut governorate to the head of the Assiyut counsel directing that all church repair requests be screened by security before being approved. However, in one case, President Mubarak overruled demolition orders by local authorities in Qalyubia province in February and March and ordered the reconstruction of a demolished church building at government expense.

In January 1996, human rights activist Mamdouh Naklah filed a lawsuit challenging the constitutionality of the 10 conditions for building a church in the Ottoman decree. After Naklah rebutted an initial finding that he had no standing to file the suit, the court in October requested the State Commissioners body to render an opinion on the constitutionality of the 10 conditions. The opinion had not been issued by year's end.

Upon agreement with Coptic Orthodox Pope Shenouda, in 1996 the Minister of Awqaf, Hamdy Zaqqouq, who is responsible for administering religious trusts, established a joint committee to address a dispute with the Coptic Orthodox Church that originated in 1952. At that time, the Government seized approximately 1,500 acres of land from the Church and transferred title to the Ministry of Awqaf. Based on the committee's recommendations, since 1996 more than 800 acres have been returned to the Church. Between May and July, with police assistance, the Coptic Church also reclaimed several properties from private institutions after legal victories. The Committee continues to review claims to the remaining disputed property.

The Constitution requires schools to offer religious instruction. Public and private schools provide religious instruction according to the faith of the student.

The Government occasionally prosecutes members of religious groups whose practices deviate from mainstream Islamic beliefs and whose activities are believed to jeopardize communal harmony. For example, between January and April, the Government arrested 18 persons, most of whom were Baha'is and some of whom were Muslims, in the southern Egyptian city of Sohag, on suspicion of violating Article 98(F) of the Penal Code ("insulting a heavenly religion") and a 1960 law abolishing Baha'i institutions. Their detention was renewed several times, but no charges were brought against them. By mid-October all of the detainees had been released without charge (see Section 1.d.). In May the authorities arrested 52 men and one minor on suspicion of homosexual activity and unorthodox religious beliefs and practices. Two of the defendants, who allegedly advocated a belief system combining Islam and tolerance for homosexuality, were charged with insulting a heavenly religion. The entire group was tried in a State Security Emergency Court. On November 14, the Court sentenced 20 defendants to 2 years in prison and one to 1 year for "habitual debauchery;" one to 3 years for "contempt of religion;" and one to 5 years for contempt of religion and habitual debauchery. Twenty-nine defendants were acquitted on all charges (see Sections 1.d. and 1.e.). In late October, the Public

Prosecutor referred 8 persons from the town of Mataria to trial in a State Security Emergency Court on suspicion of unorthodox religious beliefs and practices, including those relating to prayers, fasting, and the pilgrimage. The trial had not begun by year's end.

During the year, several writers also were charged with expressing unorthodox religious beliefs and practices (see Section 2.a).

The Islamic Research Center of al-Azhar University has legal authority to censor all publications dealing with the Koran and Islamic scriptural texts (see Section 2.a.).

On September 6, the Alexandria administrative court issued a decision canceling the annual Jewish celebration at the tomb of Rabbi Abu Hasira in the Delta province of Beheira. The court suspended a Ministry of Culture decree declaring the tomb a national antiquity site. The Ministry contested the decision, and the matter remained unresolved at year's end.

In August 1999, the Public Prosecutor reopened and expanded an investigation of police torture of mostly Christian detainees that took place during the police investigation in August and September 1998 of the murder of Samir Aweda Hakim and Karam Tamer Aarsal in the largely Coptic village of al-Kush in Sohag governorate. The investigation was suspended for several months but resumed in July, and by October approximately 450 of 1,000 residents involved in the incident had been reinterviewed. It remains unclear whether religion was a factor in the actions of the police officers. Some human rights groups outside Egypt believe that religion was a factor in the al-Kush murder investigation, but most human rights and Christian activists in Egypt do not. Police abuse of detainees is a widespread practice that occurs regardless of a detainee's religious beliefs (see Section 1.c.).

In June 2000, a criminal court in Sohag city convicted Shayboub William Aarsal of the murder of Hakim and Aarsal. The court sentenced Shayboub to 15 years in prison at hard labor. An appeal was pending at year's end. The Christian community of al-Kush believes that Shayboub, a Christian resident of al-Kush, was accused and convicted of the crime because of his religion.

In July 2000, the Dar al-Salaam court sentenced a Christian, Suryal Gayed Ishak, to 3 years' hard labor for insulting a heavenly religion (Islam) during a public dispute by allegedly instigating the new year's 2000 violence in al-Kush (see Section 5). In March the court reduced the sentence to 1 year, and Suryal (who had been incarcerated for more than 1 year) was released.

Some Christians allege that the Government is lax in protecting Christian lives and property against extremists (see Section 5).

In 1960 President Gamal Abdel Nasser issued a decree (Law 263 for 1960) banning Baha'i institutions and community activities. All Baha'i community properties, including Baha'i centers, libraries, and cemeteries, were confiscated. The ban has not been rescinded, and between January and April, the Government detained 18 persons on suspicion of violating the ban. All were released without charge between April and September, after being detained for 3 to 9 months.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

Citizens and foreigners are free to travel within the country, except in certain military areas. Males who have not completed compulsory military service may not travel abroad or emigrate, although this restriction may be deferred or bypassed under some special circumstances. Unmarried women under the age of 21 must have permission from their fathers to obtain passports and travel. Married women no longer legally require the same permission from their husbands; however, in practice police reportedly still require such permission (see Section 5). Citizens who leave the country have the right to return.

The Constitution provides for the granting of asylum and/or refugee status in accordance with the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol; however, the Government maintains several reservations to the convention that limit the ease with which the refugee population may integrate locally. Because the country lacks national legislation or a legal framework governing the granting of asylum, the Office of the U.N. High Commissioner for Refugees (UNHCR) assumes full responsibility for the determination of refugee status on behalf of the Government. The Government generally cooperates with the UNHCR and treats refugees in accordance with minimum standards and agreed arrangements. The UNHCR provides recognized refugees with a refugee identification card that is considered a resident permit and bears the stamp of the national authorities. Refugees generally may not obtain citizenship. During the year, approximately 6,500 recognized refugees, the majority of whom were Sudanese, resided in the country, in

addition to the 70,000 Palestinian refugees registered with the government authorities. There were also approximately 16,000 asylum seekers awaiting status determination. Although there is no pattern of abuse of refugees, during random security sweeps the Government temporarily detained some refugees who were not carrying proper identification. Following intervention by the UNHCR, the refugees were released. There were no reports of the forced return of persons to a country where they feared persecution.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The ruling National Democratic Party dominates the 454-seat People's Assembly, the 264-seat Shura Council, local governments, the mass media, labor, and the large public sector, and controls the licensing of new political parties, newspapers, and private organizations to such an extent that, as a practical matter, citizens do not have a meaningful ability to change their government.

In September 1999, President Hosni Mubarak was elected unopposed to a fourth 6-year term in a national referendum. According to official results, he received 94 percent of the vote. The referendum followed the constitutionally mandated nomination by the People's Assembly. Under the Constitution, the electorate is not presented with a choice among competing presidential candidates.

In 2000 elections for the People's Assembly were held. Due to court-ordered supervision by the judiciary of the voting and vote-counting, the process was significantly cleaner and more transparent than previous elections; however, there were a number of problems. The elections were held in stages between October 18 and November 15, 2000, in order to allow for supervision by a member of the judiciary at each polling place. Out of a total of 444 elected seats, the ruling NDP won 172 seats, independent candidates won 255 seats, and opposition parties won 17 seats. Many of the independents elected were former members of the NDP who rejoined the party after being elected, thus leaving the People's Assembly actual balance at 388 NDP members, 37 independents (17 of them affiliated with the outlawed Muslim Brotherhood), and 17 opposition party members. Seven of those elected were women and three were Christians. President Mubarak also appointed 10 members to the Assembly, of whom 4 were women and 4 Christians. Two seats remained vacant throughout the year due to a court-imposed hold on elections on the basis of procedural irregularities. A number of court rulings declaring election results invalid went unimplemented, but one deputy (Rami Lakah) lost his seat in Cairo based on a court decision declaring him ineligible because he held dual citizenship.

Despite the overall improvement in the electoral process, there still were problems affecting the elections' fairness, particularly in the period leading up to elections and outside some polling stations on election days. During the months preceding the elections, the Government arrested thousands of members of the Muslim Brotherhood on charges of belonging to an illegal organization. Most observers believe that the Government was seeking to undermine the Muslim Brotherhood's participation in the People's Assembly and professional syndicate elections through intimidation. In addition previous convictions on such charges legally precluded many potential candidates from running.

Violence among supporters of various candidates marred the elections at some polling places and resulted in the deaths of 9 persons. At a few locations, the security presence was so heavy as to inhibit voters' access to the polls. There were also reports of voter harassment by security forces in jurisdictions in which the Muslim Brotherhood was expected to do well. The EOHR conducted a small-scale monitoring effort, but there was no systematic, large-scale independent monitoring of the elections.

The People's Assembly debates Government proposals, and members exercise their authority to call cabinet ministers to explain policy. The executive initiates almost all legislation. Nevertheless, the Assembly maintains the authority to challenge or restrain the executive in the areas of economic and social policy, although it may not modify the budget except with the Government's approval. The Assembly exercises limited influence in the areas of security and foreign policy, and retains little oversight of the Interior Ministry's use of Emergency Law powers. Many executive branch initiatives and policies are carried out by regulation through ministerial decree without legislative oversight. The military budget is prepared by the executive and not debated publicly. Roll-call votes in the Assembly are rare. Votes generally are reported in aggregate terms of yeas and nays, and thus constituents have no independent method of checking a member's voting record.

In May and June, elections were held for part of the Shura Council, the upper house of parliament. The Shura Council has 264 seats, two-thirds of which are elected and one-third of which are appointed by the President. In elections held in stages, 88 Shura Council seats were contested, of which the NDP won 74 and independents (most of whom were former members of the NDP) won 14. Polling and vote-counting were judicially supervised and viewed as generally fair; however, problems in the period leading up to the elections and outside the polls during the elections marred them to some extent. During the weeks preceding the elections, the Government arrested at least 100 Muslim Brotherhood members who were candidates or campaign workers, and only 1 member eventually ran in the elections. In several districts, opposition party

candidates reported that police and NDP supporters beat and intimidated opposition supporters. The Government estimated voter turnout at 10 to 20 percent, but most observers believe that it was much lower. Following the elections, President Mubarak appointed 45 members to the Shura Council, including 8 women and 4 Christians.

There are 12 recognized opposition parties. The law empowers the Government to bring felony charges against those who form a party without a license. New parties must be approved by the Shura Council's Political Parties Committee, a semiofficial body that includes a substantial majority of members from the ruling NDP and some members from among the independent and opposition parties. Decisions of the Parties Committee may be appealed to the civil courts; however, if a court overturns a denial, the party is not registered automatically. Both the Committee and the People's Assembly at times ignore court decisions. The Committee did not approve any parties during the year and rejected the application of the Mubarak Renaissance Party; the party then appealed to the courts, which had not heard the case by year's end. On April 7, the "Egypt 2000" party won recognition when an Administrative Court decision was accepted by the Government. Nine appeals of denied licenses were pending before the Administrative Court at year's end.

The Political Parties Committee also may withdraw recognition from existing political parties. On August 19, the Committee withdrew recognition from the small National Detente Party, which was licensed in March 2000, and closed the party newspaper, al-Qarar. The Committee justified its decision by citing an internal leadership dispute and alliance with the banned Muslim Brotherhood. In late October, the Committee withdrew recognition from the small Arab Egyptian Socialist Party, also reportedly due to a leadership dispute, and closed the party newspaper, Gariidat Misr. The Labor Party, which lost recognition in 2000 under similar circumstances, remained frozen, and its newspaper, al-Shaab, continued to attempt to regain publication rights through the courts throughout the year (see Section 2.a.).

The Muslim Brotherhood remains an illegal organization and may not be recognized as a political party under current laws, which prohibit political parties based on religion. Muslim Brotherhood members are known as such publicly and openly speak their views, although they do not explicitly identify themselves as members of the organization. They remain subject to government pressure (see Section 1.d.).

The percentage of women and minorities in government and politics does not correspond to their percentage of the population. The Constitution reserves 10 Assembly seats for presidential appointees, and during 2000 President Mubarak included four Christians and four women among his appointees. In addition to the appointments, 7 women and 3 Christians were elected in the fall of 2000, but one (Rami Lakah) lost his seat in September in a court case. The President appointed eight women and four Christians to the Shura Council following the May and June elections. Two women and 2 Christians (1 of whom is a woman) serve among the 32 ministers in the Cabinet.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Human rights organizations continue to face difficulties registering as legal organizations. In June 2000, the Supreme Constitutional Court overturned on procedural grounds Law 153 pertaining to the formation, function, and funding of NGO's and private foundations, which had been passed by the People's Assembly in June 1999. The previous law governing NGO's, Law 32, was reinstated until a new law could be passed; no new law had been passed by year's end. Law 153 and the subsequent implementing regulations were considered controversial and had drawn mixed reactions from local NGO and international activists, some of whom charged that the law and regulations placed unduly burdensome restrictions on NGO operations.

While many NGO's were registered under Law 153, its overturn and the reinstatement of Law 32 left a number of NGO's that had not yet registered under either Law 153 or Law 32 in an unsettled status regarding registration (see Section 2.b.). No human rights organizations were registered as NGO's during the year. Several human rights organizations that applied for registration in 1999 or 2000, including the EOHR, the Human Rights Center for the Assistance of Prisoners, and the Cairo Institute for Human Rights Studies, were not registered by year's end (see Section 2.b.). The EOHR won an Administrative Court decision on July 1 requiring the Ministry of Social Affairs to register the organization, but the Ministry had not implemented the ruling by year's end.

Despite years of nonrecognition, the EOHR and other groups at times obtain the cooperation of government officials. The Government allows EOHR field workers to visit some prisons in their capacity as legal counsel, to call on some government officials, and to receive funding from foreign human rights organizations. In an unusual and positive development, in September the Ministry of Interior issued a detailed written response to a March report by the Human Rights Center for the Assistance of Prisoners regarding torture and lawsuits related to torture; the response rebutted the report's claims (see Section 1.c.).

Government restrictions on NGO activities, including limits on organizations' ability to accept funding, continue to inhibit significantly reporting on human rights abuses. Saad Eddin Ibrahim, director of the Ibn Khaldoun Center for Development Studies, was convicted on May 21 on charges that included disseminating abroad false information about the country and accepting foreign funds without government permission (see Sections 1.e. and 2.a.). The case had a significant deterrent effect on the work of human rights organizations, which exist largely on foreign funding.

In May 2000, the Public Prosecutor dropped the Government's case against EOHR secretary general Hafez Abu Se'da. The case was based on a report issued by the EOHR that was critical of police conduct during a 1998 police murder investigation in Sohag governorate.

During the year the Government permitted the Cairo Institute for Human Rights and other human rights organizations to hold conferences and to participate in international conferences.

The Government generally cooperates with intergovernmental organizations and generally responds to reports issued by the United Nations.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution provides for equality of the sexes and equal treatment of non-Muslims; however, aspects of the law and many traditional practices discriminate against women and Christians.

Women

Domestic violence against women is a significant problem and is reflected in press accounts of specific incidents. The law does not prohibit spousal abuse specifically; provisions of law relating to assault in general are applied. According to a national study conducted in 1995 as part of a comprehensive demographic and health survey, one of every three women who have ever been married has been beaten at least once during marriage. Among those who have been beaten, less than half have ever sought help. Smaller, independent studies confirm that wife beating is common. In general neighbors and extended family members intervene to limit incidents of domestic violence. Due to the value attached to privacy in the country's traditional society, abuse within the family rarely is discussed publicly. Spousal abuse is grounds for a divorce; however, the law requires the plaintiff to produce eyewitnesses, a difficult condition to meet. Several NGO's offer counseling, legal aid, and other services to women who are victims of domestic violence. Activists believe that in general the police and the judiciary consider the "integrity of the family" more important than the well being of the woman. The Ministry of Insurance and Social Affairs operates more than 150 family counseling bureaus nationwide, which provide legal and medical services.

The Government prosecutes rapists, and punishment for rape ranges from 3 years in prison to life imprisonment with hard labor. Although reliable statistics regarding rape are not available, activists believe that it is not uncommon, despite strong social disapproval. If a rapist is convicted of abducting his victim, he is subject to execution; however, there were no reports of the execution of rapists. In 1999 the Government abolished an article of the Penal Code that permitted a rapist to be absolved of criminal charges if he married his victim. However, marital rape is not illegal.

"Honor killings" (a man murdering a female for her perceived lack of chastity) are known to occur, but are not common. In practice the courts sentence perpetrators of honor killings to lighter punishments than those convicted in other cases of murder. There are no reliable statistics regarding the extent of honor killings.

FGM, which is widely condemned by international health experts as damaging to both physical and psychological health, is common despite the Government's commitment to eradicating the practice and NGO efforts to combat it. Traditional and family pressures remain strong; a study conducted in 2000 estimates the percentage of women who have ever been married and have undergone FGM at 97 percent. The survey showed that attitudes may be changing slowly; over a 5-year period, the incidence of FGM among the daughters (from ages 11 to 19) of women surveyed fell from 83 to 78 percent. FGM generally is performed on girls between the ages of 7 and 12, with equal prevalence among Muslims and Christians.

In 1997 the Court of Cassation upheld the legality of a 1996 decree banning FGM that was issued by the Minister of Health and Population Planning. In addition to attempting to enforce the decree, the Government supports a range of efforts to educate the public. A discussion of FGM and its dangers has been added to the curriculum of the school system. The Government broadcasts television programs criticizing the practice. Government ministers speak out against the practice, and senior religious leaders also support efforts to stop it. The Sheikh of al-Azhar, the most senior Islamic figure in the country, and Pope Shenouda, the leader of the

Coptic Orthodox community, have stated repeatedly that FGM is not required by religious doctrine. However, illiteracy impedes some women from distinguishing between the deep-rooted tradition of FGM and religious practices. Moreover, many citizens believe that FGM is an important part of maintaining female chastity, which is a part of religious tradition, and the practice is supported by some Muslim religious authorities and Islamist political activists. A number of NGO's actively work to educate the public regarding the health hazards of the practice.

Prostitution and sex tourism are illegal but known to occur, mostly in Cairo and Alexandria.

The law provides for equality of the sexes; however, aspects of the law and many traditional practices discriminate against women. By law unmarried women under the age of 21 must have permission from their fathers to obtain passports and to travel. In 2000 the Supreme Constitutional Court ruled that married women should not require permission from their husbands, reasoning that the practice violated the principle of equality of the sexes. On July 9, the Ministry of Interior announced that the ruling would be implemented, but women's rights organizations reported inconsistency in implementation by police through year's end. Only males may confer citizenship; children born to women with foreign husbands are not conferred the benefits of citizenship. In rare cases, this means that children who are born to Egyptian mothers and stateless fathers are themselves stateless. A woman's testimony is equal to that of a man's in the courts. There is no legal prohibition against a woman serving as a judge, although in practice no women serve as judges. At year's end, the Court of Cassation still was examining the cases of two attorneys, Fatma Lashin and Amany Talaat, who are challenging the Government's refusal to appoint them as public prosecutors. (To become a judge, one must first serve as a public prosecutor.)

Laws affecting marriage and personal status generally correspond to an individual's religion. In January 2000, the Parliament passed a new Personal Status Law that made it easier for a Muslim woman to obtain a divorce without her husband's consent, provided that she is willing to forego alimony and the return of her dowry. (The Coptic Orthodox Church permits divorce only in specific circumstances, such as adultery or conversion of one spouse to another religion.)

Under Islamic law, non-Muslim males must convert to Islam to marry Muslim women, but non-Muslim women need not convert to marry Muslim men. Muslim female heirs receive half the amount of a male heir's inheritance, while Christian widows of Muslims have no inheritance rights. A sole female heir receives half her parents' estate; the balance goes to designated male relatives. A sole male heir inherits all his parents' property. Male Muslim heirs face strong social pressure to provide for all family members who require assistance; however, this assistance is not always provided.

Women have employment opportunities in government, medicine, law, academia, the arts, and business. Labor laws provide for equal rates of pay for equal work for men and women in the public sector. According to government figures, women constitute 17 percent of private business owners and occupy 25 percent of the managerial positions in the four major national banks. Social pressure against women pursuing a career is strong, and women's rights advocates claim that Islamist influence inhibits further gains. Women's rights advocates also point to other discriminatory traditional or cultural attitudes and practices, such as FGM and the traditional male relative's role in enforcing chastity and chaste sexual conduct.

Sexual harassment is not prohibited specifically by law; there are no statistics available regarding its prevalence.

A number of active women's rights groups work in diverse areas, including reforming family law, educating women on their legal rights, promoting literacy, and combating FGM.

Children

The Government remains committed to the protection of children's welfare and attempts to do so within the limits of its budgetary resources. The Child Law provides for privileges, protection, and care for children in general. Six of the law's 144 articles set rules protective of working children (see Section 6.d.). Other provisions include a requirement that employers set up or contract with a child care center if they employ more than 100 women; the right of rehabilitation for children with disabilities; a prohibition on sentencing defendants between the ages of 16 and 18 to capital punishment, hard labor for life, or temporary hard labor; and a prohibition on placing defendants under the age of 15 in preventive custody (although the prosecution may order that they be lodged in an "observation house" and be summoned upon request). Many of the resources for children's welfare are provided by international donors, especially in the field of child immunization.

The Government provides public education, which is compulsory for the first 9 academic years (typically until

the age of 15). The Government treats boys and girls equally at all levels of education.

There are no statistics available regarding the prevalence of child abuse.

Child labor is widespread, despite the Government's commitment to eradicate it (see Section 6.d.). UNICEF has reported on the practice of poor rural families making arrangements for a daughter to be employed as a domestic servant in the homes of wealthy citizens (see Sections 6.c.).

Children with foreign fathers are not considered citizens and thus may not attend public school or state universities, are barred from certain professional schools, and may not work without meeting foreign residency requirements and obtaining work permits. There are an estimated 400,000 such children in the country.

FGM generally is performed on girls between the ages of 7 and 12 (see Section 5, Women).

Persons With Disabilities

There are no laws specifically prohibiting discrimination against persons with physical or mental disabilities, but the Government makes serious efforts to address their rights. It works closely with U.N. agencies and other international aid donors to design job-training programs for persons with disabilities. The Government also seeks to increase the public's awareness of the capabilities of persons with disabilities in television programming, the print media, and in educational material in public schools. There are approximately 5.7 million persons with disabilities, of whom 1.5 million are disabled severely.

By law all businesses must designate 5 percent of their jobs for persons with disabilities, who are exempt from normal literacy requirements. Although there is no legislation mandating access to public accommodations and transportation, persons with disabilities may ride government-owned mass transit buses free of charge, are given priority in obtaining telephones, and receive reductions on customs duties for private vehicles. A number of NGO's are active in efforts to train and assist persons with disabilities.

Religious Minorities

The Constitution provides for equal public rights and duties without discrimination due to religion or creed. For the most part, the Government upholds these constitutional protections; however, discrimination against Christians exists. There are no Christians serving as governors, university presidents, or deans. There are few Christians in the upper ranks of the security services and armed forces. Although there was improvement in some areas, such as the introduction of the Coptic era into history curricula in all government schools and increased coverage of Christian subjects in the mass media, discriminatory government practices persisted, including suspected statistical underrepresentation of the size of the Christian population for the last census (1996), discrimination against Christians in public sector employment, discrimination against Christians in staff appointments to public universities, failure to admit Christians into public university training programs for Arabic language teachers (because the curriculum involves study of the Koran), and payment of Muslim imams through public funds (Christian clergy are paid with private Church funds).

The approximately 6 million Coptic Christians have been the objects of occasional violent assaults by the Islamic Group and other terrorists. Some Christians have alleged that the Government is lax in protecting Christian lives and property (see Section 2.c.). However, there were no reports of terrorist attacks against Christians during the year. In a number of cases regarding the murder of Christians, it was difficult to determine whether religion was a factor. On July 26, 2000, gunmen killed Christian farmer Magdy Ayyad Mus'ad and wounded five other persons in Giza province, allegedly over objections to a church that Mus'ad had built. Two suspects in the case were released on bail in October 2000, and had not been tried by year's end. Similarly, a suspect in the December 2000 stabbing of Father Hezkiyal Ghebriyal, a 75-year-old Coptic Orthodox priest, had not been tried by year's end. By year's end, the Court of Cassation still had not yet set a date to hear an appeal by the Public Prosecutor seeking a heavier sentence in the case of Ahmad and Ibrahim Nasir, who were sentenced to 7 years in prison for the September 1999 murder of a monk in Assiyut.

An article published in al-Naba' newspaper regarding the alleged sexual misconduct in a Coptic Orthodox monastery provoked demonstrations by Coptic Christians in Cairo from June 17 to 20. Demonstrators criticized both the Government and church leadership for their treatment of a number of issues, including discrimination against Christians and the al-Kush trial. Police detained a number of protesters when demonstrations turned violent on June 20 (see Sections 1.d. and 2.b.).

A trade dispute between a Christian clothing merchant and a Muslim customer on December 31, 1999, in the village of al-Kush in Sohag governorate, escalated into violent exchanges between Muslims and Christians in

the area, resulting in the deaths of 21 Christians and 1 Muslim on January 2, 2000. The violence also resulted in the injury of 39 persons in al-Kush and 5 persons in the neighboring municipality of Dar al-Salaam. Approximately 200 businesses and homes in the area were damaged.

In September 2000, 21 persons were convicted of crimes including assault, arson, and vandalism committed in Dar al-Salaam. Ninety-six persons (58 Muslims and 38 Christians) went on trial in June 2000 for crimes including murder committed in al-Kush. On February 5, the court acquitted 92 of 96 defendants. One defendant was convicted of manslaughter and sentenced to 10 years in prison and 3 defendants were convicted of arson and sentenced to 1 year in prison. The lead judge cited inadequate evidence in justifying the verdicts. The Public Prosecutor contested the verdicts, and on July 30, the Court of Cassation ordered a retrial. The retrial opened November 3, and the next session was scheduled for January 2002.

There were reports of forced conversions of Coptic girls to Islam. Reports of such cases are disputed and often include inflammatory allegations and categorical denials of kidnaping and rape. Observers, including human rights groups, find it extremely difficult to determine whether compulsion was used, as most cases involve a Coptic girl who converts to Islam when she marries a Muslim boy. According to the Government, in such cases the girl must meet with her family, with her priest, and with the head of her church before she is allowed to convert. However, there are credible reports of government harassment of Christian families that attempt to regain custody of their daughters, and of the failure of the authorities to uphold the law (which states that a marriage of a girl under the age of 16 is prohibited, and between the ages of 16 and 21 is illegal, without the approval and presence of her guardian) in cases of marriage between underage Christian girls and Muslim boys.

There is no legal requirement for a Christian girl or woman to convert to Islam in order to marry a Muslim. However, if a Christian woman marries a Muslim man the Coptic Orthodox Church excommunicates her. Ignorance of the law and societal pressure, including the centrality of marriage to a woman's identity, often affect her decision. Family conflict and financial pressure also are cited as factors. Conversion is regarded as a disgrace to the convert's family, so most Christian families would object strongly to a daughter's wish to marry a Muslim. If a Christian girl converts to Islam, her family loses guardianship, which transfers to a Muslim custodian, who is likely to grant approval. The law is silent on the matter of the acceptable age of conversion.

Anti-Semitism is found in both the Government press and in the press of the opposition parties, and increased late in 2000 and during the year following the outbreak of violence in Israel and the occupied territories. There have been no violent anti-Semitic incidents in recent years directed at the tiny Jewish community.

Section 6 Worker Rights

a. The Right of Association

There are no legal obstacles to establishing private sector unions, although such unions are not common. Workers may join trade unions but are not required to do so. A union local, or workers' committee, may be formed if 50 employees express a desire to organize. Most union members, about one-quarter of the labor force, are employed by state-owned enterprises. The law stipulates that "high administrative" officials in Government and in public sector enterprises may not join unions.

There are 23 trade unions, all required to belong to the Egyptian Trade Union Federation (ETUF), the sole legally recognized labor federation. The International Labor Organization's (ILO's) Committee of Experts repeatedly has emphasized that a law that requires all trade unions to belong to a single federation infringes on freedom of association. The ILO also has consistently criticized ETUF control over the nomination and election procedures for trade union officers, as well as the fact that the right of workers' organizations to organize their administration, including their financial activities, without interference from public authorities is not protected. However, the Government has shown no sign that it intends to accept the establishment of more than one federation. The ETUF leadership asserts that it actively promotes worker interests and that there is no need for another federation. ETUF officials have close relations with the NDP, and some are members of the People's Assembly or the Shura Council. They speak vigorously on behalf of worker concerns, but public confrontations between the ETUF and the Government are rare. Disputes more often are resolved by consensus in private.

The labor laws do not provide adequately for the right to strike. The Government considers strikes a form of public disturbance and therefore illegal. Workers who strike may face prosecution and prison sentences of up to 2 years; however, there were no such cases during the year.

There were roughly two dozen strikes during the year. Strikes mainly were over issues of anticipated sales of

companies, compulsory leave, wage cuts, and delayed payment of salaries. Nearly all labor actions during the year were 1-day wildcat strikes. In one instance, employees of a private plastics firm shut down the plant and went on a hunger strike for several days because salaries were 9 months in arrears. Another private factory with 350 employees was closed permanently when employees protested that salaries were 6 months in arrears.

Some unions within the ETUF are affiliated with international trade union organizations. Others are in the process of becoming affiliated.

b. The Right to Organize and Bargain Collectively

Collective bargaining does not exist in any meaningful sense because by law the Government sets wages, benefits, and job classifications. The ILO for years has claimed that the Labor Code undermines the principle of voluntary bargaining by providing that any clause of a collective agreement that might impair the economic interest of the country is null and void. Under the law, unions may negotiate work contracts with public sector enterprises if the latter agree to such negotiations, but unions otherwise lack collective bargaining power in the public sector.

Firms in the private sector generally do not adhere to government-mandated standards. Although they are required to observe some Government practices, such as the minimum wage, social security insurance, and official holidays, firms often do not adhere to government practice in nonbinding matters, including award of the annual Labor Day bonus.

Labor law and practice are the same in the six export processing zones (EPZ's) as in the rest of the country.

c. Prohibition of Forced or Compulsory Labor

The Constitution prohibits forced labor, and domestic and foreign workers generally are not subject to coerced or bonded labor; however, the Criminal Code authorizes sentences of hard labor for some crimes. The law does not prohibit specifically forced and bonded labor by children, and UNICEF has reported on the practice of poor rural families making arrangements for daughters to be employed as domestic servants in the homes of wealthy citizens (see Section 6.d.).

d. Status of Child Labor Practices and Minimum Age for

Employment

The Government takes seriously the problem of child labor; however, in general it does not devote adequate resources to implement its child labor policies. Under the Child Law (see Section 5), the minimum age for employment is 14 years of age in nonagricultural work.

The Labor Law of 1996 and associated ministerial decrees greatly limit the type and conditions of work that children below the age of 18 may perform legally. Responding to criticism in a January report by Human Rights Watch on abusive child labor practices in cotton farming, the Ministry of Agriculture issued Decree 1454 in April, which forbids children under 14 years of age from working in cotton fields. Provincial governors, with the approval of the Minister of Education, may authorize seasonal work for children between the ages of 12 and 14, provided that duties are not hazardous and do not interfere with schooling. Preemployment training for children under the age of 12 is prohibited. It is prohibited for children to work for more than 6 hours a day. One or more breaks totaling at least 1 hour must be included. Children may not work overtime, during their weekly day off, between 8 p.m. and 7 a.m., or for more than 4 hours continuously.

The Government continued to take steps during the year to address the problem of child labor. For example, Prime Minister Atef Ebeid and First Lady Suzanne Mubarak are involved personally with the problems of working children through their leadership positions on the National Council for Children and Motherhood. The Government worked closely during the year with international organizations--in particular UNICEF and the ILO--as well as international and domestic NGO's and labor unions to implement programs designed to address child labor and its root causes. The Government established a Steering Committee for the Elimination of Child Labor in 1999 that includes members from Government, the private sector, and NGO's to address the task of eliminating illegal child labor. In 2000 the Ministry of Manpower established a child labor unit, with inspectors who have been trained by donors and international labor organizations. One of the first tasks of the child labor unit has been to create a database for tracking child labor in the country. In September the unit carried out its first raid, removing 112 children from 17 auto repair workshops in a Cairo neighborhood. The children were returned to their parents upon the parents' commitment that their children would not be allowed to work in

hazardous places; however, the Government did not take any action against the employers.

Statistical information regarding the number of working children is difficult to obtain and often out-of-date. NGO's estimate that up to 1.5 million children work. Government studies indicate that the concentration of working children is higher in rural than in urban areas. Nearly 78 percent of working children are in the agricultural sector. However, children also work in tanneries, auto repair workshops, and carpet and furniture factories in Cairo and Alexandria.

While local trade unions report that the Ministry of Labor adequately enforces the labor laws in state-owned enterprises, enforcement in the private sector, especially in the informal sector, is lax. Many of these children are abused, overworked, and exposed to potentially hazardous conditions by their employers, and the restrictions in the Child Law have not improved conditions due to lax enforcement on the part of the Government.

Although the law does not prohibit specifically forced and bonded labor by children, UNICEF has reported on the practice of poor rural families making arrangements for a daughter to be employed as a domestic servant in the home of wealthy citizens (see Sections 6.c.).

The Government has not ratified ILO Convention 182 on the worst forms of child labor.

e. Acceptable conditions of work

For government and public sector employees, the minimum wage is approximately \$33 (140 Egyptian pounds) a month for a 6-day, 36-hour workweek. The Labor Law stipulates that 48 hours is the maximum number of hours that may be worked in 1 week. Overtime for hours worked beyond 36 per week is payable at the rate of 25 percent extra for daylight hours and 50 percent extra for nighttime hours. Some government agencies have instituted a 5-day, 36-hour workweek. The minimum wage, which is set by the Government and applied nationwide, generally is enforced effectively by the Ministry of Administrative Development. Larger private companies generally observe the requirement and pay bonuses as well; however, smaller firms do not always pay the minimum wage or bonuses. The minimum wage does not provide for a decent standard of living for a worker and family; however, base pay commonly is supplemented by a complex system of fringe benefits and bonuses that may double or triple a worker's take-home pay.

The Ministry of Labor sets worker health and safety standards, which also apply in the EPZ's; however, enforcement and inspections are uneven.

The law prohibits employers from maintaining hazardous working conditions, and workers have the right to remove themselves from hazardous conditions without risking loss of employment.

The Ministry of Manpower estimated in October that there were 20,100 foreign workers with work and residence permits. Unofficial estimates of undocumented workers are as high as 116,000. Foreign workers with the required permits enjoy legal protections. There are occasional reports of employer abuse of undocumented workers, especially domestic workers. A few employers were prosecuted during the year for abuse of domestic workers, but many claims of abuse go unsubstantiated because undocumented workers are reluctant to make their identities public.

f. Trafficking in Persons

The law does not prohibit specifically trafficking in persons; however, the law prohibits prostitution and sex tourism. There were no reports that persons were trafficked to, from, or within country.